

Message Text

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INFO OCT-01 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 IO-10 MMS-01

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TO ALL AMERICAN REPUBLIC DIPLOMATIC POSTS PRIORITY

USCINCSO

C O N F I D E N T I A L STATE 116627

E.O. 11652: GDS

TAGS: OAS

SUBJECT: OASGA - COMMITTEE DEVELOPMENTS, SATURDAY, MAY 17

USDEL 17

BEGIN UNCLASSIFIED

1. COMMITTEE III DID NOT MEET, HAVING COMPLETED ITS WORK ON FRIDAY. THREE OTHER COMMITTEES COMPLETED THEIR SUBSTANTIVE WORK BY EARLY EVENING, LEAVING ONLY APPROVAL OF RELATORS' REPORTS FOR MONDAY. AS REPORTED IN STATE 115863, PLENARY ON SATURDAY MORNING ELECTED ARGENTINA'S AMBASSADOR TO THE US, ALEJANDRO ORFILA, AS NEXT SECRETARY GENERAL. PLENARIES SCHEDULED FOR MORNING AND AFTERNOON MONDAY TO RATIFY COMMITTEE WORK.

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2. COMMITTEE I: APPROVED A RESOLUTION TAKING NOTE OF THE ANNUAL REPORT OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION, AND THANKING THE IAHRG FOR THE IMPORTANT WORK IT HAS BEEN DOING. THE US MADE THE FOLLOWING STATEMENT, WHICH WAS RE-

LEASED TO THE PRESS:

"THE ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS CONTAINS VARIOUS GENERAL RECOMMENDATIONS IN THE PART OF THE REPORT DEALING WITH AREAS IN WHICH FURTHER STEPS ARE NEEDED TO GIVE EFFECT TO THE HUMAN RIGHTS SET FORTH IN THE AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN.

"THESE GENERAL RECOMMENDATIONS DEAL WITH PROVISIONS CONCERNING POWERS FOR EXCEPTIONAL SITUATIONS, RULES FOR HABEAS CORPUS OR AMPARO, AND THE AVAILABILITY OF INFORMATION ABOUT PERSONS WHO HAVE BEEN DETAINED.

"MY DELEGATION BELIEVES THAT THESE RECOMMENDATIONS MERIT THE MOST CAREFUL CONSIDERATION OF ALL MEMBER GOVERNMENTS SO THAT EACH, ACCORDING TO ITS OWN CONSTITUTIONAL AND JURIDICAL SITUATION, MAY DETERMINE HOW THE BASIC OBJECTIVES OF THESE RECOMMENDATIONS MAY BEST BE ACHIEVED IN ITS OWN COUNTRY."

3. NEXT BUSINESS WAS VOTE ON MEXICAN DECLARATION (STATE 115824). END UNCLASSIFIED.

BEGIN CONFIDENTIAL

US HAD ATTEMPTED TO WORK OUT BEHIND THE SCENES WITH BRAZIL AND OTHERS A STATEMENT WHICH CHAIRMAN OF ASSEMBLY WOULD MAKE SUMMARIZING DIVERGENT VIEWPOINTS EXPRESSED DURING DEBATE, AND INDICATING THAT A "SIGNIFICANT MAJORITY" OF THE DELEGATES WAS IN FAVOR OF ALLOWING EACH STATE FREE TO DECIDE ON ITS OWN RELATIONS WITH ANY OTHER STATE, ONCE THE PROTOCOL OF AMENDMENT TO THE RIO TREATY IS SIGNED AT SAN JOSE. SUCH A STATEMENT WOULD NOT HAVE REQUIRED A VOTE AND WOULD HAVE ONLY REFLECTED THE REALITY OF THE DISCUSSIONS. AT THE VERY END, MEXICO BACKED OFF, AND PUSHED FOR A VOTE. END CONFIDENTIAL.

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DECLARATION WAS APPROVED: PRO - 14 (MEXICO, VENEZUELA, PANAMA, GRENADA, COLOMBIA, TRINIDAD/TOBAGO, HONDURAS, ARGENTINA, PERU, HAITI, ECUADOR, JAMAICA, COSTA RICA, DOMINICAN REPUBLIC); CON - 4 (PARAGUAY, CHILE, URUGUAY, NICARAGUA); ABSTENTION - 5 (US, BOLIVIA, BRAZIL, EL SALVADOR, GUATEMALA); NOT VOTING - BARBADOS.

4. IN EXPLANATION OF ABSTENTION, US (MCNEIL) SAID:

"ASSISTANT SECRETARY OF STATE ROGERS SPOKE IN THE CONVERSATIONS THE OTHER DAY AT SOME LENGTH ABOUT THIS SUBJECT. ALL OF YOU WHO ARE SITTING IN THIS ROOM ARE

FAMILIAR WITH OUR REASONS FOR ABSTAINING ON THIS DRAFT RESOLUTION. AT THE SAME TIME, THERE PROBABLY ARE HISTORIANS WHO WILL WISH TO KNOW WHY THE UNITED STATES ABSTAINED, AND SO I THOUGHT I WOULD EXPLAIN VERY BRIEFLY OUR OBJECTIONS TO THIS DRAFT RESOLUTION, OBJECTIONS WHICH ARE FOUNDED LARGELY ON JURIDICAL GROUNDS.

"IF THE DRAFT RESOLUTION HAD BEEN ONE SIMPLY TO ENDORSE THE AMENDMENT TO THE RIO TREATY TO CHANGE THE INADEQUATE PROCEDURES WHICH WE NOW HAVE AND WHICH REQUIRE A TWO-THIRDS MAJORITY TO LIFT MEASURES IMPOSED UNDER ARTICLE 8, THE UNITED STATES WOULD HAVE BEEN PLEASED TO VOTE FOR IT. THE UNITED STATES SUPPORTED IN THE SPECIAL COMMITTEE THE CHANGE IN THE VOTING REQUIREMENT. WE SUPPORT IT NOW AND WE WILL SUPPORT IN SAN JOSE, AND WE CONFIDENTLY EXPECT APPROVAL OF A CHANGE IN THE VOTING REQUIREMENT AT SAN JOSE.

"WITH REGARD TO THE QUESTION OF CUBA, WHICH IS OF COURSE THE BASIS OF THIS DRAFT RESOLUTION, I WOULD REFER YOU TO THE STATEMENTS, PARTICULARLY, OF THE SECRETARY OF STATE AT HOUSTON, WHERE HE SAID THAT IT WAS OUR INTENTION AND OUR HOPE THAT WE COULD ARRIVE AT A GENERALLY ACCEPTABLE SOLUTION. THIS IS STILL OUR INTENTION. WE WILL GO TO SAN JOSE WITH THIS INTENTION.

"BUT THIS DRAFT RESOLUTION IS REALLY, IN ITS OPERATIVE PARAGRAPH 2, ONE WHICH, IN OUR JUDGEMENT, CAN BE ADOPTED ONLY BY AN ORGAN OF CONSULTATION. WE ARE NOT AN CONFIDENTIAL

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ORGAN OF CONSULTATION, AND IT WOULD SEEM DUBIOUS AND ALSO IRONIC TO US TO VOTE FOR A RESOLUTION OF DUBIOUS JURIDICAL QUALITY WHILE AT THE SAME TIME WE AND ALL THE OTHER MEMBERS IN THIS ROOM ARE SEEKING TO MODERNIZE THE RIO TREATY AND TO REMOVE SOME OF THE PROBLEMS THAT HAVE CAUSED DIFFICULTIES WITH THAT TREATY IN THE PAST.

"THEREFORE, ON THESE GROUNDS WE ABSTAINED ON THIS DRAFT RESOLUTION. I HOPE THIS WILL MAKE OUR POSITION QUITE CLEAR."

5. US OBJECTION WAS TO OPERATIVE PARAGRAPH TWO OF THE "DECLARES" PORTION: "THAT ONCE THE PROTOCOL OF AMENDMENT TO THE TREATY HAS BEEN APPROVED IN COSTA RICA, ON THE BASIS OF THE RECOMMENDATIONS MADE BY CEESI, IT SHALL BE RESOLVED TO LEAVE WITHOUT EFFECT THE RELEVANT PROVISIONS OF SUCH RESOLUTIONS AS HAVE BEEN ADOPTED IN ORDER TO APPLY THE MEASURES CONTEMPLATED IN ARTICLE 8 OF THE TREATY, WHEN SAID RESOLUTIONS ARE NO LONGER SUSTAINED BY A MAJORITY OF THE MEMBER STATES."

6. COMMITTEE II: FOLLOWING WORKING GROUP REDRAFTING OF

THE THREE RESOLUTIONS PRESENTED TO COMMITTEE II ON THE TRADE ACT, THE COMMITTEE APPROVED 1) A COMBINED MEXICO/ARGENTINA DRAFT WHICH CALLS FOR CONSULTATIONS BETWEEN THE US AND THE LATINS BOTH IN SCCN AND IN THE MTN REGARDING IMPLEMENTATION OF THE TRADE ACT; AND 2) THE REDRAFTED VENEZUELA-ECUADOR-PERU DRAFT WHICH IDENTIFIES OBJECTIONS TO THE "COERCIVE" ASPECTS OF THE LAW AS THOSE OF THE LATINS, AND CALLS FOR A REPORT TO THE SIXTH GENERAL ASSEMBLY ON THE STATUS OF THE PROCESS OF AMENDING THE LAW. ECUADOR TRIED BUT FAILED TO REMOVE THE LATIN AMERICAN LABEL, WHICH THE WORKING GROUP HAD INSERTED, FROM THE LANGUAGE ON "COERCION". BOTH RESOLUTIONS WERE APPROVED WITHOUT OBJECTION AND FORWARDED TO PLENARY.

7. COMMITTEE IV: INSTRUCTED THE PERMANENT COUNCIL TO SET UP MACHINERY TO PROVIDE PENSIONS FOR RETIRING SECRETARIES GENERAL AND ASSISTANT SG. (THE COMMITTEE RECOMMENDED THAT OUTGOING GALO PLAZA AND URQUIA BE GIVEN PENSIONS WHICH, INCLUDING THEIR RETIREMENT FUND BENEFITS, WOULD TOTAL 36 CONFIDENTIAL

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OF THEIR ANNUAL SALARIES.) THE PERMANENT COUNCIL IS ALSO TO ESTABLISH AN ADVISORY COMMITTEE TO REVIEW BUDGET AND ADMINISTRATIVE PROCEDURES. THE COMMITTEE IS TO BE COMPOSED OF EXPERTS, AND BE OPERATIONAL BY NOVEMBER.

8. JAMAICA (DUDLEY THOMPSON) PROVIDED THE "MOST QUOTABLE QUOTES" OF THE DAY. AFTER THE SECRETARY GENERAL VOTE, SEVERAL DELEGATIONS, NOTABLY GRENADA, MADE LONG SPEECHES EXPLAINING THEIR VOTE. FOREIGN MINISTER THOMPSON TOOK THE FLOOR TO SAY, "MR. CHAIRMAN, I ASKED FOR THE FLOOR IN ORDER TO SAY THAT I HAVE NOTHING TO SAY--EITHER." LATER IN THE AFTERNOON, THOMPSON TOOK THE FLOOR DURING THE DEBATE ON THE MEXICAN DECLARATION TO STATE THAT DURING THE WEEK HE HAD BEEN ATTENDING THE DELIBERATIONS, HE HAD OBSERVED THAT TWO GROUPS WERE REPRESENTED AROUND THE TABLE--"THOSE WHO HAVE SOMETHING TO SAY, AND THOSE WHO HAVE TO SAY SOMETHING." END UNCLASSIFIED. INGERSOLL

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